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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,536	08/21/2003	Yuh-Shen Song	7443-102	9859
167 7590 08/10/2007 FULBRIGHT AND JAWORSKI LLP 555 S. FLOWER STREET, 41ST FLOOR LOS ANGELES, CA 90071			EXAMINER HAMILTON, LALITA M	
			ART UNIT 3691	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/646,536

Applicant(s)

SONG ET AL.

Examiner

Lalita M. Hamilton

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3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>07312007</u> . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

On December 12, 2006, an Office Action was sent to the Applicant rejecting claims 1-45. On March 8, 2007, the Applicant responded by amending claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen (2003/0024979) in view of Lawrence (2003/0233319).

Hansen discloses a method for money transfer comprising using cash as the payment instrument involving a payer's account at a financial institution, opening a remote payment system account for the payer after verifying the payer's identity, payer's financial institution and the specific account at that institution, authenticating the payer's identity when the payer logs into the remote payment system to conduct a remote transaction using cash as the payment instrument, prompting the payer to enter the

payee's name, identification information, and transaction amount into the database of the remote payment system, assigning a transaction identification number which the payee will use to identify and request a cash payment, prompting the payee to insert a machine-readable official identification card and enter the assigned transaction identification number into a remote payment system terminal, verifying that embedded identification information read by machine from the payee's official identification card at the remote payment system terminal matches the payee information entered by the payer into the remote payment system database and associated with the transaction identification number entered by the payee, and that the specific amount of funds is available from the payer's account at the financial institution, and if the verification of the payee's identity is successful and the specific amount of transaction funds are available, causing said remote payment terminal to issue a cash payment of that specific amount to the payee (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); prompting the payer to submit a machine-readable official identification card prior to the opening of said remote payment system account, and opening said remote payment system account only if embedded identification information read from the payer's identification card matches the account holder information of the financial account identified by the payer (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); prompting the payer to input an additional item of personal information not embedded in the identification card but stored in the remote database of the financial institution, and verifying that the additional personal information input by the payer matches the personal information stored in the remote database (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the personal information input

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by the payer includes at least part of a social security number (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104—any type of information); the personal information input by the payer includes at least biometric information (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104—any type of information); the biometric information input by the payer includes at least a fingerprint (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104—any type of information); prompting the payer to input an additional item of personal information embedded in the identification card but not stored in the remote database of the financial institution, and verifying that the additional personal information input by the payer matches the personal information embedded in the identification card (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the additional personal information input by the payer includes at least a personal identification number (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the additional personal information input by the payer includes at least biometric information (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the biometric information input by the payer includes at least a fingerprint (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); prompting the payer to log into the remote payment system with an official identification card, and validating the login only if the embedded identification information read from the payer's identification card matches the account holder information in the remote payment system database (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); prompting the payer to input an additional item of personal information not embedded in the identification card but stored in the database of the remote payment system, and verifying that the additional personal information input by the payer matches the personal information stored in the remote payment system database (p.9,

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93 to p.10, 97 and p.10, 102 to p.11, 104); the personal information input by the payer includes at least part of a social security number (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the personal information input by the payer includes at least biometric information (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the biometric information input by the payer includes at least a fingerprint (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); prompting the payer to input an additional item of personal information embedded in the identification card but not stored in the database of the remote payment system, and verifying that the additional personal information input by the payer matches the personal information embedded in the identification card (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the additional personal information input by the payer includes at least a personal identification number (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the additional personal information input by the payer includes at least biometric information (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); biometric information input by the payer includes at least a fingerprint (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); an escrow agent into the transaction based on the agreement between payer and payee, and the payee cannot receive payment unless the escrow agent has approved the payment first (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); payer's financial account includes at least a bank account such as checking or savings account (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the payer's financial account includes at least a credit card account; the payer's financial account includes at least a debit card account (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the remote payment system terminal is incorporated into a self-service machine (p.9, 93 to p.10, 97 and

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p.10, 102 to p.11, 104); the self-service machine includes at least an ATM terminal (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the self-service machine includes at least a check-cashing terminal (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the self-service machine includes at least a standalone kiosk where cash is available for withdrawal (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the remote payment terminal is installed in a location under the supervision and control of the remote payment system (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the remote payment system secures the payment funds from the specified payer account against the possible payer's fraud before issuing the transaction identification number (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); permitting the payer's financial institution to open an account in the remote payment system on behalf of the payer (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the payer's account in the remote payment system is linked to a specific payer's account of the financial institution opening said remote payment system account (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the remote payment system is established exclusively for one financial institution to provide services to the customers of the financial institution (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); a wireless data transmission device is incorporated into the identification card; and a wireless data receiver reads the machine-readable identification information of the identification card (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); a wireless data transmission device is incorporated into the identification card and a wireless data receiver reads the machine-readable identification information of the identification card (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); a wireless data transmission device is incorporated into the identification

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card; and a wireless data receiver reads the machine-readable identification information of the identification card (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the official identification card is a government issued identification card (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the government issued identification card includes at least a driver's license (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); the payee's official identification card is not linked to any account at any financial institution (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104); and payee does not have an account with said remote payment system (p.9, 93 to p.10, 97 and p.10, 102 to p.11, 104). Hansen does not disclose the method being in compliance with the USA Patriot Act and Bank Secrecy Action. Lawrence teaches an electronic money transfer technique whereby the entity may be subject to the USA Patriot Act and Bank Secrecy Act (p.1, 5 and p.2, 24). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Lawrence with Hansen for the motivation of preventing fraud in money transfer techniques.

Although the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action, the specified citations are merely representative of the teachings in the art as applied to the specific limitations within the individual claim. Since other passages and figures may apply to the claimed invention as well, it is respectfully requested that the applicant, in preparing the response, to consider fully the entire references as potentially teaching all of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the Examiner.

Response to Arguments

Applicant's arguments with respect to claims 1-45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LALITA M. HAMILTON
PRIMARY EXAMINER